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EXAMINER	
CAMPBELL, JOSHUA D	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/845,749	BALNAVES, JAMES A.	
	Examiner	Art Unit	
	Joshua D Campbell	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-70* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-70* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 01/31/2005.

2. Claims 1-70 are pending in this case. Claims 1, 23, 47, and 68-70 are independent claims. Claims 16, 21, and 22 have been amended.

3. The objection of claims 16, 21, and 22 based on improper dependency has been withdrawn due to corrections in the amendments of those claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-6, 10, 12-22, 23-28, 32, 34-51, 55, 57-67, and 68-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manohar et al. (hereinafter Manohar, US Patent Number 6,572,662, filed on May 15, 1998).

Regarding independent claim 1, Manohar discloses a method in which a hypertext page is received by an interface (column 15, lines 12-64 of Manohar). Manohar also discloses a method in which a database is used to collect statistical information about form element links on the page (column 9, lines 3-35 of Manohar). Manohar also discloses a method in which the hypertext page is displayed to present

statistical information about the form element links on the page at the form element links (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding dependent claims 2 and 3, Manohar discloses a method in which the statistical information relates to a transition from the page to the linked page and the page is displayed in response to a user selecting a hyperlink to display the statistical page (Recommendation link button) (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 4, Manohar discloses a method in which a hypertext page is processed to identify a hyperlink (form element link) (column 15, line 42-column 16, line 47 of Manohar). At which point the statistical information about that link is retrieved and the page is annotated to include a modification of this link that includes the statistical information (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 5, Manohar discloses a method in which user input determines whether or not the statistical information should be filtered into the page (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 6, Manohar discloses a method in which he statistical information is presented in a certain color to provide emphasis (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 10, Manohar discloses a method in which statistical information is provided in a different manner for different types of link elements (different shades of red) (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 12-13, Manohar discloses a method in which the information is provided in form element links (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding dependent claim 14, Manohar does not disclose a method in which the form element link is a drop down menu. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used pull down menus with the method of Manohar because it was well known in the art at the time the invention was made that drop down menus were an openly used type of form element links.

Regarding dependent claims 15 and 16, Manohar does not disclose a method in which the hypertext is converted into a format amenable to adding the statistical information. However, Manohar discloses a method in which hypertext is considered to be amendable to adding the statistical information and that format remains syntactically correct (column 15, line 42-column 16, line 47 of Manohar). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have converted the hypertext to an amenable if it was not already in such a format because it would have been a necessary step in completing the method of Manohar.

Regarding dependent claims 17 and 18, Manohar discloses a method in which the statistical information is trend information in the form of percentages (column 15, line 42-column 16, line 63 of Manohar).

Regarding dependent claim 19, Manohar discloses a method in which the display of the page is performed in conjunction with a standard browser (column 8, lines 23-63 of Manohar).

Regarding dependent claim 20, Manohar discloses a method in which the statistical information is drawn from a subset of a database (column 9, lines 3-35 of Manohar).

Regarding dependent claims 21-22, Manohar discloses a method in which the subsets come from a database that gets data from external database including a customer records (user records) database (column 9, lines 3-35 of Manohar).

Regarding independent claim 23 and dependent claims 24-28, 32, and 34-44, the claims incorporate substantially similar subject matter as claims 1-6, 10, and 12-

22. Thus, the claims are rejected along the same rationale as claims 1-6, 10, and 12-22.

Regarding independent claims 45 and 46, Manohar discloses a method in which a hypertext page is received by an interface (column 15, lines 12-64 of Manohar). Manohar also discloses a method in which a database is used to collect statistical information about form element links on the page (column 9, lines 3-35 of Manohar). Manohar also discloses a method in which the hypertext page is displayed to present statistical information about the form element links on the page at the form element links (column 15, line 42-column 16, line 47 of Manohar). Manohar discloses a method in which a hypertext page is processed to identify a hyperlink (form element link) (column 15, line 42-column 16, line 47 of Manohar). At which point the statistical information about that link is retrieved and the page is annotated to include a modification of this link that includes the statistical information (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding dependent claim 47, Manohar discloses a method in which a hypertext page is processed to identify a hyperlink (form element link) (column 15, line

42-column 16, line 47 of Manohar). At which point the statistical information about that link is retrieved and the page is annotated to include a modification of this link that includes the statistical information (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding dependent claims 48 and 49, Manohar discloses a method in which the statistical information relates to a transition from the page to the linked page and the page is displayed in response to a user selecting a hyperlink to display the statistical page (Recommendation link button) (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 50, Manohar discloses a method in which user input determines whether or not the statistical information should be filtered into the page (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 51, Manohar discloses a method in which he statistical information is presented in a certain color to provide emphasis (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 55, Manohar discloses a method in which statistical information is provided in a different manner for different types of link elements (different shades of red) (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claim 57-58, Manohar discloses a method in which the information is provided in form element links (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding dependent claim 59, Manohar does not disclose a method in which the form element link is a drop down menu. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used pull down menus with the method of Manohar because it was well known in the art at the time the invention was made that drop down menus were an openly used type of form element links.

Regarding dependent claims 60 and 61, Manohar does not disclose a method in which the hypertext is converted into a format amenable to adding the statistical information. However, Manohar discloses a method in which hypertext is considered to be amendable to adding the statistical information and that format remains syntactically

correct (column 15, line 42-column 16, line 47 of Manohar). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have converted the hypertext to an amenable if it was not already in such a format because it would have been a necessary step in completing the method of Manohar.

Regarding dependent claims 62 and 63, Manohar discloses a method in which the statistical information is trend information in the form of percentages (column 15, line 42-column 16, line 63 of Manohar).

Regarding dependent claim 64, Manohar discloses a method in which the display of the page is performed in conjunction with a standard browser (column 8, lines 23-63 of Manohar).

Regarding dependent claim 65, Manohar discloses a method in which the statistical information is drawn from a subset of a database (column 9, lines 3-35 of Manohar).

Regarding dependent claims 66 and 67, Manohar discloses a method in which the subsets come from a database that gets data from external database including a customer records (user records) database (column 9, lines 3-35 of Manohar).

Regarding independent claim 68, Manohar discloses a method in which a hypertext page is received by an interface (column 15, lines 12-64 of Manohar). Manohar also discloses a method in which a database is used to collect statistical information about form element links on the page (column 9, lines 3-35 of Manohar). Manohar also discloses a method in which the hypertext page is displayed to present statistical information about the form element links on the page at the form element links

(column 15, line 42-column 16, line 47 of Manohar). Manohar discloses a method in which a hypertext page is processed to identify a hyperlink (form element link) (column 15, line 42-column 16, line 47 of Manohar). At which point the statistical information about that link is retrieved and the page is annotated to include a modification of this link that includes the statistical information (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

Regarding independent claims 69 and 70, Manohar discloses a method in which a hypertext page is received by an interface (column 15, lines 12-64 of Manohar). Manohar also discloses a method in which a database is used to collect statistical information about form element links on the page (column 9, lines 3-35 of Manohar). Manohar also discloses a method in which the hypertext page is displayed to present statistical information about the form element links on the page at the form element links (column 15, line 42-column 16, line 47 of Manohar). Manohar discloses a method in which a hypertext page is processed to identify a hyperlink (form element link) (column 15, line 42-column 16, line 47 of Manohar). At which point the statistical information about that link is retrieved and the page is annotated to include a modification of this link

that includes the statistical information (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which the information is provided in hyperlinks. However, it would have been obvious to one or ordinary skill in the art at the time the invention was made to have used the method of Manohar on a hyperlink because it was well known at the time of the invention that all of the objects of Manohar (column 15, line 65-column 16, line 47 of Manohar), even though they are not explicitly defined as hyperlinks, functioned in accordance with the well-known definition of "links" as shown by Manohar (column 2, lines 7-34 of Manohar).

6. Claims 7, 11, 29, 33, 52, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manohar et al. (hereinafter Manohar, US Patent Number 6,572,662, filed on May 15, 1998) as applied to claims 20, 42, and 65 above, and further in view of Bates et al. (hereinafter Bates, US Patent Number 6,088,707, filed on October 6, 1997).

Regarding dependent claim 7, Manohar does not disclose a method in which the page is de-emphasized with respect to being displayed without the statistical information. However, Bates discloses a method in which the page is displayed as a background to the statistical information, as opposed to originally being in the foreground (Figure 24 of Bates). It would have been obvious at the time the invention was made to have combined the methods of Manohar and Bates because it would have provided a user with identification of the information deemed important.

Regarding dependent claim 11, Manohar does not disclose a method in which statistical information is superimposed onto image hyperlinks. However, Bates

discloses a method in which statistical information is superimposed onto all hyperlinks (Figure 24 of Bates). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Manohar with the methods of Bates because it allows the statistical information to not disrupt the flow of the page.

Regarding dependent claims 29 and 33, the claims incorporate substantially similar subject matter as claims 7 and 11. Thus, the claims are rejected along the same rationale as claims 7 and 11.

Regarding dependent claims 52 and 56, the claims incorporate substantially similar subject matter as claims 7 and 11. Thus, the claims are rejected along the same rationale as claims 7 and 11.

7. Claims 8-9, 30-31, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manohar et al. (hereinafter Manohar, US Patent Number 6,572,662, filed on May 15, 1998) as applied to claims 1, 23, and 47 above, and further in view of Sandifer (US Patent Number 5,778,381, issued on July 7, 1998).

Regarding dependent claim 8, Manohar discloses a method in which the statistical information is presented in a color (column 15, line 42-column 16, line 47 of Manohar). Manohar does not disclose a method in which color is removed from the original page. However, Sandifer discloses that it is common to have a page be in black and white (without color) and have items such as keywords in color to provide emphasis on those words (column 15, lines 5-15 of Sandifer). It would have been obvious to one

of ordinary skill in the art to have combined the method of Manohar with the teachings of Sandifer because it would have provided emphasis on the statistical information in the document.

Regarding dependent claim 9, Manohar discloses a method in which the color of the statistical information is visually suggestive of the statistic (column 15, line 42-column 16, line 47 of Manohar).

Regarding dependent claims 30-31, the claims incorporate substantially similar subject matter as claims 8 and 9. Thus, the claims are rejected along the same rationale as claims 8 and 9.

Regarding dependent claims 53-54, the claims incorporate substantially similar subject matter as claims 8 and 9. Thus, the claims are rejected along the same rationale as claims 8 and 9.

Response to Arguments

8. Applicant's arguments filed 01/31/2005 have been fully considered but they are not persuasive.

Regarding the arguments on pages 11-13, regarding claim 1 and the limitation, "...present statistical information associated with a hyperlink at the hyperlink on the page..." and whether or not the motivation statement is proper, the examiner feels that Manohar teaches the limitation as shown in the current and previous rejection. Although Figure 19 of Manohar is one example of an anchor page it is important to note that a page as shown in Figure 20 is also an example of an anchor page. The anchor

page (HTML) of Figure 20 consists of web objects which when individually selected open up another HTML anchor page containing different web objects based on the previous selection, from this page another object can be selected which causes another HTML page to be opened based on the selection. These objects, even though it is never implicitly stated, act as hyperlinks, by linking to another HTML page (column 14, lines 47-61 and column 15, line 65-column 16, line 47 of Manohar).

As to whether or not the motivation statement is proper, the examiner has added to the statements of the previous rejection with citations from the reference to show the obviousness and how the conclusion can be reached from the reference. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the web objects of Manohar were acting as hyperlinks because as shown by Manohar's background section, "Hypermedia exploit the computer's ability to link together information from a wide variety of sources as a tool for exploring a particular topic. The data object is said to reside at a "node" and may vary in size and type. Each data object is essentially self-contained but may contain references to other such objects or nodes. Such references are normally used in a hypertext document and are referred to as "links". A link is a user-activated control reference that causes the data object at the link target node to be displayed. By following these links from panel to panel, the user "navigates" through and about the hypertext document." (Column 2, lines 17-28 of Manohar). Thus, although the objects of Manohar are not explicitly said to be hyperlinks they operate under the well-known definition of hyperlinks. In addition to this,

Manohar states as cited in the previous and current rejections that statistics can be presented next to each web object (column 16, lines 36-41 of Manohar).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
March 28, 2005

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